

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

WAYLAN SMITH,

Plaintiff,

v.

PEN GULF, INC.,

Defendant.

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NO. 1:14-CV-00233-CLC-WBC

JURY DEMAND

MOTION FOR PROTECTIVE ORDER OR TO QUASH SUBPOENA

Come Plaintiff, through counsel, pursuant to Fed.R.Civ.P. 26(c) and 45, and moves the Court for an order quashing the subpoena duces tecum that Defendant intends to serve upon Plaintiff's former employer, Whirlpool Corporation. The challenged subpoena is attached as **Exhibit A**. The undersigned certifies that she has in good faith tried to resolve this issue.

For grounds shown, Plaintiffs submit that the subpoena seeks information that is not reasonably calculated to lead to the discovery of admissible evidence inasmuch as the subpoenas are overly broad, overly intrusive, violate the privacy rights of Plaintiffs and constitute impermissible "fishing expeditions" designed primarily to discover after-acquired evidence.

A memorandum of law is being filed contemporaneously herewith.

BURNETTE, DOBSON & PINCHAK

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CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of April, 2015, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

By: s/ Donna J. Mikel